

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GENARO Q. PAED, at al.,

No. C 11-03603 CRB

Plaintiffs,

**ORDER RE CLARIFICATION**

v.

BANK OF AMERICA, et al.,


Defendants.

On December 19, 2011, the Court remanded this case to state court, explaining that the second amended complaint (dkt. 38) no longer contained any federal claims. See Order (dkt. 40). Defendants request clarification of the Court's Order, noting that, though the second amended complaint did not contain any federal claims, it purported to incorporate the first amended complaint, which did include federal claims. See Mot. (dkt. 42) at 1.

Civil Local Rule 10-1 provides that amended pleadings "must reproduce the entire proposed pleading and may not incorporate any part of a prior pleading by reference." Therefore, the second amended complaint did not contain any federal claims, and the Court lacked jurisdiction.

**IT IS SO ORDERED.**

Dated: January 18, 2012

  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE